

Formal grievances (with the exceptions of the disciplinary actions that can be grieved under UNC-GA SHRA Grievance Policy, and of non-disciplinary separation from employment due to unavailability), employees will be required to have an Informal Discussion with their supervisor(s) or other appropriate representative regarding the alleged event or action to attempt to address complaints or concerns at the lowest possible level prior to filing a formal grievance. For allegations of unlawful or prohibited discrimination, harassment, or retaliation, employees will now utilize an [Equal Employment Opportunity Informal Inquiry](#) process to attempt to first address the complaint.

PART 1: PERSONAL INFORMATION

Your Full Name:	Christopher Ray Baker	Home/Cell Phone:	704-705-2225
Position Title:	Technology Support Analyst	Work Phone:	704-250-5456
Temporary: (YES OR NO)	No	Email:	bakercr1013@gmail.com
Home Street Address:	13900 McDougald rd.	Case #: (office use only)	
Home, City, State, Zip:	Sanford, NC 27332	Empl ID: (office use only)	
Department Name:	CALS IT	Hire Date: (office use only)	
Campus Work Location:	600 Laureate Way, Kannapolis, NC 28081	Career State Employee Status: (office use only)	
Immediate Supervisor:	Jevon Smith	2nd-Level Supervisor: (office use only)	

PART 2: SPECIFIC CONCERN(S)

Date of alleged event or action that is the basis of the complaint: 4-3-2019

State specific concern(s) or complaints(s): Improper government activities ("whistleblower") as contained in GS 126 GS 126-25. Remedies of employee objecting to material in file.

PART 3: INFORMAL PROCESS

Have you already met with your supervisor (or higher level manager) to try and resolve your concern? ☐ NO ☐ YES

Date of meeting: 25-2019

Who did you meet with (provide name/title): Marc Okner

Did you receive a written response from the person you met with: ☒ NO ☐ YES

Date of response (attach copy to this document):

PART 4: RESOLUTION RESULTS

What would you like to have happen:

I have not received a written response from the informal discussions regarding improper government activities ("whistleblower") as contained in GS 126 matter from Chancellor Randy Woodson, Dean Richard Linton, Marie Y. Williams, Dan O'Brien, Rebecca Zurich, Marc Okner, Kevin Lee, Denise Lutzen, Jevon Smith, NCSU HR, or CALS HR.
GS 126-25. Remedies of employee objecting to material in file. I do not seek removal. I request a written higher authorities' decision or response to be presented and attached to the "Written Warning for Unacceptable Personal Conduct." Hand Delivered on April 3rd, 2019. Preferably a member listed from above.

PART 5: CERTIFICATION

Signature:  Date: 12/13/2019

Hand Delivered

Date: April 3, 2019

To: Christopher Baker
Technology Support Analyst

From: Jevon Smith
IT Service Desk Manager

Subject: Written Warning for Unacceptable Personal Conduct

This letter serves as a Written Warning for Unacceptable Personal Conduct. The following incidents led to this action:

1. On February 6, 2019, you exhibited insubordinate conduct: You willfully refused to follow a reasonable instruction from me, your supervisor, and took numerous active steps to counteract my decision and authority regarding ticket escalation in ServiceNow. Specifically:
 - You initiated a ticket, incident 3226045, in ServiceNow pertaining to an internal change management process. When I discovered this, I sent a notice to you via ServiceNow that I was closing the ticket and added notes to communicate that the change management process is a project-based issue to be handled locally and not an issue that should remain in the ticket system for escalation to the University's Office of Information Technology (OIT) Security and Compliance Group. You have access to the notes in ServiceNow and were aware of the reasons for my decision. However, despite my closure of this ticket and notification to you, you moved the incident from "Resolved Status" back into the OIT Security and Compliance group inbox for their review.
 - At 9:47am, I again moved the ticket back into our CALS Academic and Administrative Technology (CAAT) queue. You then immediately moved the ticket back into the Security and Compliance queue.
 - At 9:54am, I again moved the ticket back into our CAAT queue as appropriate. You again immediately moved the ticket back into the Security and Compliance queue.
 - At 9:55am, I moved the ticket into our CAAT queue for a fourth time. You then sent me a Google Hangouts chat and instructed me to "stop moving the incident." You then persisted to counteract my decision and moved the ticket back into the Security and Compliance queue. I responded to your chat and asked you to call me so that we could discuss this issue.
 - At 9:57am, I moved the ticket back into the appropriate CAAT queue.
 - You and I then spoke on the phone, and I stated that we would address the matter with Kevin Lee, CAAT Director and the CAAT leadership group—Denise Luken, Assistant IT Director, and Jamie Dennis, Systems Specialist—to obtain their feedback regarding escalation to OIT Security and Compliance. As such, I sent an email at 11:42am to our leadership group and you discussing the specific security challenges present with this change management process. In that email, I stated my understanding that the incident in question needed to remain in our

queue and not move to OIT for review at this time. Mr. Dennis responded to you and the team via email at 12:49pm, concurring that the issue did not pose a significant enough security threat to escalate to OIT's Security & Compliance team.

- Despite this conversation among CAAT management, you yet again defied the decision to leave the ticket in the CAAT queue and moved the incident back to the Security & Compliance queue. At that time, you included a copy of the aforementioned email thread into the ServiceNow notes.
2. On February 7, 2019, as a follow-up, I sent a directive to you to resolve all incidents related to our Plants for Human Health Institute laboratory generic account setup process, except for the Perkins Lab. Additionally, I instructed you to reply to the email once the task was completed. At 4:41 pm on February 7th, you replied that Mr. Dennis was the lead on the project, so he should determine how to proceed. I replied that the task was not optional and that you were to proceed with resolving the incidents. As of today, you have not completed this task as directed.
 3. On March 19, 2019, you inappropriately escalated a concern regarding a vendor directly to the NCSU Office of General Counsel without first consulting with a member of your management team. Your email to Counsel was without context or clarity and caused confusion among General Counsel and CAAT leadership. This escalation was unnecessary, and Counsel directed you to work with your management team regarding any concerns with this vendor. You have been informed previously to address concerns with management prior to escalating outside CAAT, yet you chose to not follow the appropriate management hierarchy.

Your willful counteractions, refusal to abide by management instruction, and your tendency to impulsively escalate matters unnecessarily, is unacceptable personal conduct, specifically insubordination, and does not meet the NC State collaborative and collegiate standards expected of someone in your position. Your behaviors directly subvert management's authority and create confusion among CAAT and external partners, thereby damaging the reputation of CALS IT. This behavior is contrary to the mission and values of this organization and will not be tolerated.

The Office of State Human Resources defines unacceptable personal conduct as follows, including but not limited to: 1. conduct for which no reasonable person should expect to receive prior warning; 2. the willful violation of known or written work rules; 3. conduct unbecoming a State employee that is detrimental to State service; 4. serious disruption in the workplace; and 5. insubordination. Insubordination is defined as the willful failure or refusal to carry out a reasonable order from an authorized supervisor. Insubordination is unacceptable personal conduct for which any level of discipline, including dismissal, may be imposed without prior warning.


In order to provide you with an additional opportunity to succeed, effective immediately, you are being placed on a Corrective Action Plan. You are required to:

1. Follow management directives and recommendations.
2. Resolve all incidents related to our Plants for Human Health Institute laboratory generic account setup process, except for the Perkins Lab, no later than 4/5/2019.
3. Adhere to the established escalation process communicated to you by management and work within your leadership structure prior to escalating to external partners as appropriate.

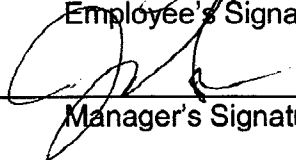
4. Present any findings, concerns, or recommendations in a productive and professional manner.
5. Establish and maintain collegial working relationships with others.
6. Provide communication of activities to your supervisor and/or other managers, as needed or requested.
7. Meet the performance expectations of your position as stated in your job description, work plan, and as directed by management.
8. Seek management assistance as needed.

Please be advised that unless you demonstrate immediate, significant, and sustained improvement, further disciplinary action up to and including dismissal may result. In addition to addressing the conduct described in this letter, it is unacceptable to demonstrate additional problems/issues that require management intervention.

By your signature below, you acknowledge that you have received this written warning.



Employee's Signature



Manager's Signature

4/3/19

Date

4/3/19

Date


Attachments: SHRA Institutional Goals: <https://er.hr.ncsu.edu/wp-content/uploads/sites/3/2017/02/NCSU-Institutional-Goals.pdf>

CC: Kevin Lee, CALS IT Director
Denise Luken, CALS Assistant Director of IT
Rebecca Zuvich, Assistant Dean, Personnel Office
Personnel File
University Human Resources - Employee Relations

Do not agree with the warning due to criminal aspects I had reported.

MEMORANDUM

TO: Deans, Directors, and Department Heads

FROM: W. Randolph Woodson, Chancellor 

SUBJECT: Reporting Misuse/Damage of State Property

DATE: August 18, 2017

I am writing to remind you of a mandatory reporting requirement under North Carolina General Statute §143B-920, which requires each agency head to promptly report suspected misuse of state property to the State Bureau of Investigation (SBI). Employees are to report misuse within three (3) business days of discovery to their supervisor, University Police, Internal Audit or to the Office of General Counsel.

The term "misuse" is defined broadly to mean damage or vandalism (such as graffiti or broken windows); fraud, theft or embezzlement of money; hacking of computer systems; unauthorized use of property (such as office equipment, research supplies, tools and state vehicles) for non-university business or personal use; and arson.

I have designated Eileen Goldgeier, Vice Chancellor and General Counsel, as the university contact with the SBI for this purpose. As soon as you become aware of a misuse of State property, please report it so that a timely investigation may be taken by the Office of Internal Audit and/or University Police and a report may then be submitted to the SBI within ten (10) business days, if necessary. The regulation that governs reporting misuse of state property is located at <http://policies.ncsu.edu/regulation/reg-07-40-02>.

For more information, refer to the [frequently asked questions](#) on the Office of General Counsel's website. It is important that each dean, director and department head disseminate this information to all of their respective employees. If you have any questions, please contact the Office of General Counsel at 919-515-3071.

Why would a
supervisor contact
Human Resources
instead of following
the Chancellor's
directive for
reporting of fraud
and campus safety?



Christopher Baker <crbaker3@ncsu.edu>

Fwd: Chris Baker WW - Request for an Informal Discussion

1 message

Christopher Baker <crbaker3@ncsu.edu>
 To: Rebecca Zuvich <rbzuvich@ncsu.edu>

Wed, Apr 17, 2019 at 8:00 AM

Good Morning,

I am requesting an informal discussion regarding actions taken in the disciplinary write up on hand delivered to me on April 3rd, 2019.

In the OSHR Manual under the Pre- Disciplinary Conference section, it states that The supervisor or management designee must give the employee advance written notice (at least 24 hours) of the conference. While a minimum of twenty-four (24) hour's notice to the employee is required, advance notice should be as much time as practical under the circumstances; Is this policy followed within CALS?

On Fri, Mar 29, 2019, 6:54 PM Jevon Smith wrote: Apologies Chris, That was sent in error. Leading me to believe actually, it was sent as an error. But then being ambushed on April 3rd 2019 with a write-up directly after signing my new performance plan which I had been trying to discuss with my supervisors since the middle of January.

Also, I would also like to schedule a time to discuss the actions regarding the protocols taken informally regarding the events around March 19th.

c) Any retaliatory personnel action for reporting improper government activities ("whistle blower") as contained in GS 126.

On February 7, 2019, as a follow-up, I sent a directive to you to resolve all incidents related to our Plants for Human Health Institute laboratory generic account setup process, except for the Perkins Lab. Additionally, I instructed you to reply to the email once the task was completed. At 4:41 pm on February 7th, you replied that Mr. Dennis was the lead on the project, so he should determine how to proceed. I replied that the task was not optional and that you were to proceed with resolving the incidents. As of today, you have not completed this task as directed.

Re Wolf Times Approved email communications was also being discussed this day which brought about concerns with my signature being forged on performance reviews and failure to inspect my personnel file. There has been no communications for this directive since this date. The role was with Jamie being the project lead to verify implementation and verification for rolling out the generic accounts. Under ITIL Service Transition my role was test management. Attached: Re_ Wolf Times Approved.pdf

On March 19, 2019, you inappropriately escalated a concern regarding a vendor directly to the NCSU Office of General Counsel without first consulting with a member of your management team. Your email to Counsel was without context or clarity and caused confusion among General Counsel and CM T leadership. This escalation was unnecessary, and Counsel directed you to work with your management team regarding any concerns with this vendor. You have been informed previously to address concerns with management prior to escalating outside CAA T, yet you chose to not follow the appropriate management hierarchy.

I did notify my management hierarchy and with doing so it must have amplified the events which took place on March 21st that was reported to the NC State Criminal Investigations Division. Attached: Re_ Bribery case.pdf

To general counsel and phone call to chain of command on March 19th.

Christopher Baker <crbaker3@ncsu.edu> Tue, Mar 19, 2019 at 4:59 PM

To: Jevon Smith <jevon.smith@ncsu.edu>, Denise Luken <dmluken@ncsu.edu>, Kevin Lee <kflee@ncsu.edu>

I do not know if this is related to the FIL communications today. I did receive an email from Russell CCing Matt only with no Derek.

Derek had told me to not email Matt or Russell back in January and the incident from March 14th I described over the phone seemed odd as well.

INC3329341 - Fwd: BitTorrent

Chris Baker
 Solutions Analyst
 NC State University, CALS Academic & Administrative Technology
 Plants for Human Health Institute
 NC Research Campus

4/25/2019

North Carolina State University Mail - Fwd: Chris Baker WW - Request for an Informal Discussion

600 Laureate Way
Kannapolis, NC 28081
704-250-5456 | caat_help@ncsu.edu

Chris Baker
Solutions Analyst
NC State University, CALS Academic & Administrative Technology
Plants for Human Health Institute
NC Research Campus
600 Laureate Way
Kannapolis, NC 28081
704-250-5456 | caat_help@ncsu.edu

----- Forwarded message -----

From: **Christopher Baker** <crbaker3@ncsu.edu>
Date: Thu, Apr 4, 2019 at 5:10 AM
Subject: Re: Chris Baker WW
To: Jevon Smith <jevon.smith@ncsu.edu>
Cc: Kevin Lee <kflee@ncsu.edu>, Rebecca Zuvich <rbzuvich@ncsu.edu>, Denise Luken <dmluken@ncsu.edu>

Was the police report made to university or capital police in regards to the bribe offered from Castle and Cooke?

Thanks
Chris

On Fri, Mar 29, 2019, 6:54 PM Jevon Smith <jevon.smith@ncsu.edu> wrote:
Apologies Chris,

That was sent in error.

On Fri, Mar 29, 2019 at 1:04 PM Christopher Baker <crbaker3@ncsu.edu> wrote:
What is the written warning for? Speaking to General Counseling and HR?

Thanks
Chris

On Fri, Mar 29, 2019, 12:57 PM Jevon Smith <jevon.smith@ncsu.edu> wrote:
Hey everyone,

I had what was hopefully the final call with Katry regarding the written warning. She will send the final copy over this afternoon.


Jevon Smith
IT Service Desk Manager
CALS Information Technology
NC State University
919-515-6777 | Jevon.Smith@ncsu.edu


NC STATE

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Jevon Smith
IT Service Desk Manager
CALS Information Technology
NC State University
919-515-6777 | Jevon.Smith@ncsu.edu

NC STATE

3 attachments

 CRBaker3_Written_Warning.pdf
210K

 Re_Wolf Times Approved.pdf
320K

 Re_Bribery case.pdf
110K